

MINUTES

CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY
SEPTEMBER 20, 2011
6:00 P.M.

This meeting was given in accordance with applicable State Statues.

ROLL CALL

PRESENT

Mayor Patrick Woolley
Vice Mayor Stewart Shapiro
Councilman Blayne Allsup
Councilman David Dirkschneider
Councilwoman Jan Blake
Councilman Doug Davis
Councilman Roger Godwin
Councilman William McClure

ABSENT

Councilwoman Cathy Maxey

STAFF PRESENT

Matthew Love, City Attorney
Roger Patty, Police Chief
Kenny Koger, Fire Chief
Mike Turman, Public Works Director
Jenell Robertson, Asst. City Clerk

1. Call to order, Declaration of a quorum, Flag salute and Invocation.

The meeting was called to order at 6:00 p.m. by Mayor Woolley and a quorum was declared. Chief Koger led everyone in the Flag Salute and Mayor Woolley did the invocation.

2. Introduction and speech by County Commissioner Brian Maughan. Presentation by Jason Thompson with SRB and Connie Scothorn with CLS on 50th and MacArthur project.

Connie Scothorn, with CLS, LLC was unable to attend.

Jason Thompson, with Smith Roberts Baldischwiler, gave an overview of the 50th & MacArthur Project, including title work, surveys, right of way plans, right of way acquisition, conditional authorization and environmental clearance.

County Commissioner Brian Maughan spoke about the SHINE Project (Start Helping Impacted Neighborhoods Everywhere). This project allows inmates to help clean up neighborhoods (including graffiti) which helps the surrounding areas and helps lower the cost of inmate incarceration for the state. Mr. Maughan stated if the City of Warr Acres needed help in cleaning up anything, please call his office for help.

3. Call to the Public. None.
4. CONSENT DOCKET: (individual items may be deleted from the consent docket for discussion and action under #5.)
 - A. Approval of the minutes from the Regular meeting of August 16, 2011.
 - B. Approval of Expenditures

General Fund	\$	197,707.04
CIP Fund	\$	23,303.14
Sewer Line	\$	886.30
 - C. Approval of Actual Expenditures for August 2011 and Proposed Expenditures for September 2011.
 - D. Sales Tax History Report.
 - E. Approval to appropriate a \$25 donation from Cherokee Hills Christian Church to the Fire Department.
 - F. Approval to appropriate the CDBG grant money to the Sewer Line Maintenance Fund in the amount of \$171,257.40 from the Sewer Rehab project.
 - G. Approval to surplus 10 Dell CPU's from the Police department.

Motion by Councilman Shapiro, seconded by Councilman Godwin to approve the Consent Docket A. through G. as stated above. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, yes; Blake, yes; Davis, abstain; Allsup, yes. Motion passed.

Councilman Dirkschneider entered meeting at 6:07 p.m.

5. Discussion and possible action on items removed from the consent docket. None.
6. Receive reports from Staff: Police Chief, Fire Chief, City Clerk, City Attorney, Public Works Director, City Engineer, and City Planner.

Police Chief Patty – stated the Police Dept. received a free vehicle camera, also stated Officer Stephenson was no longer with the dept. and Reserve Officer Jason Allen was hired full time.

Fire Chief Koger – stated dept. had helped with mutual aide fires and went to a FEMA meeting today and the City will get 100% reimbursement from FEMA.

PW Director Mike Turman – stated big trash in October, cleaning up city yard, working on dumpsters, and installation of new flower beds on N. W. 39th Expressway at Ann Arbor and at Hammond.

Attorney Love – none

City Engineer – none

7. Discussion and possible action on a recommendation from the Traffic Commission to post “Limited Commercial Loading and Unloading two hours” signs on Market Place south of NW Expressway behind Golden Corral.

Police Chief Patty stated that Golden Corral was having a problem with delivery vehicles making deliveries on the south side of his building and wanted trucks to be able to park on Marketplace Street (for a short time in order to unload trucks). Traffic Commission was forwarding their recommendation for approval to the City Council.

Motion by Councilman Dirkschneider, seconded by Councilman Godwin to approve the Traffic Commission recommendation to post “Limited Commercial Loading and Unloading two hours” signs on Market Place south of NW Expressway behind Golden Corral. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, yes. Motion passed.

8. Discussion and possible action on appropriation of funds in CIP in the amount of \$225,000 for the City’s match on the AARA Energy Efficiency projects for City Hall and the Community Center.

Motion by Councilman Godwin, seconded by Councilwoman Blake to appropriate funds in CIP in the amount of \$225,000 for the City’s match on the AARA Energy Efficiency projects for City Hall and the Community Center. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, yes. Motion passed.

9. Discussion and possible action on awarding/rejecting the bids to Kneal Construction for the AARA Energy Efficiency projects for City Hall and the Community Center.

Aaron Walkers and Marc Jameson, with Kneal Construction, stated they were excited to start the project. There was discussion among Council members and it was decided that because these were two separate projects, it required two separate motions.

Motion by Councilman Shapiro, seconded by Councilman Godwin to award bid to Kneal Construction for the AARA Energy Efficiency projects for the Community Center. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, yes. Motion passed.

Motion by Councilman Godwin, seconded by Councilman Shapiro to award bid to Kneal Construction for the AARA Energy Efficiency projects for City Hall. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, yes. Motion passed.

10. Discussion and possible action on appropriation of funds in CIP in the amount of \$360,000 for the City’s match on the 50th to 49th and MacArthur project.

Scott Barrett stated the City needed to get all approvals, then get bid specs and get a contract document.

Motion by Councilwoman Blake, seconded by Councilman Godwin to appropriate funds in CIP in the amount of \$360,000 for the City's match on the 50th to 49th and MacArthur project. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, yes. Motion passed.

11. Discussion and possible action to re-authorize Traffic Engineering Consultants, Inc. to proceed with the design and preparation of plans and specifications for safety upgrades and improvements at various school zone locations throughout the City.

City Attorney, Matt Love, stated that this was approved last year but the City Council had to re-approve this because it is a new year and project was not started last year. Scott Barrett stated the City needed to get plans approved by ODOT in order to make the December, 2011, deadline.

Motion by Councilman Shapiro, seconded by Councilwoman Blake to re-authorize Traffic Engineering Consultants, Inc. to proceed with the design and preparation of plans and specifications for safety upgrades and improvements at various school zone locations throughout the City. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, yes. Motion passed.

12. Discussion and possible action on an agreement with the Oklahoma Tax Commission.

City Attorney, Matt Love, stated the City already had an agreement with the Oklahoma Tax Commission. He stated this new agreement would allow the City to conduct better searches on sales tax. The Oklahoma Tax Commission will have to give more information and provide more leniency to get something done about collecting sales tax.

Motion by Councilman Dirkschneider, seconded by Councilman Shapiro to have the Mayor sign a new agreement with the Oklahoma Tax Commission. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, yes. Motion passed.

13. Discussion and possible action on a Memorandum of Understanding with ACOG 9-1-1 in reference to hosted recording solutions.

Police Chief Patty stated he needed to be able to record the entire 911 telephone conversation/phone call. ACOG will pay for this update and will cost the City nothing if it is done now. If this update is done in the future, the City will have to pay for it.

Motion by Councilman Dirkschneider, seconded by Councilman Godwin to approve a Memorandum of Understanding with ACOG 9-1-1 in reference to hosted recording solutions. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, yes. Motion passed.

14. Adoption of the International Residential Code as the City's Building Code.

- A. Discussion and possible action on an Ordinance amending 16.04.010 adopting the International Residential Code.
- B. Approval of the emergency clause.
- C. Discussion and possible action on an Ordinance amending 16.04.030 adopting the State amendments to the International Residential Code.
- D. Approval of the emergency clause.
- E. Discussion and possible action on an Ordinance amending 5.16.050 to clarify the reference to the City's Building Code.
- F. Approval of the emergency clause.

City Attorney, Matt Love, stated the State of Oklahoma adopted the International Residential Code, therefore, the City has to adopt the same International Residential Code. He also stated that if the City did not adopt the code, it would put the City out of compliance with State Statutes.

Motion by Councilwoman Blake, seconded by Councilman Shapiro to approve an Ordinance amending 16.040.010 adopting the International Residential Code. Poll vote: Woolley, no; Shapiro, yes; McClure, yes; Godwin, no; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, no. Motion passed.

Motion by Councilman Shapiro, seconded by Councilwoman Blake to approve the emergency clause to adopt an Ordinance amending 16.040.010 adopting the International Residential Code. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, no; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, no. Motion passed.

Motion by Councilman Shapiro, seconded by Councilwoman Blake to approve an Ordinance amending 16.04.030 adopting the State amendments to the International Residential Code. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, no; Dirkschneider, yes; Blake, yes; Davis, no; Allsup, no. Motion passed.

Motion by Councilman Shapiro, seconded by Councilwoman Blake to approve the emergency clause to adopt an Ordinance amending 16.04.030 adopting the State amendments to the International Residential Code. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, no; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, no. Motion passed.

Motion by Councilman Shapiro, seconded by Councilwoman Blake to approve an Ordinance amending 5.16.050 to clarify the reference to the City's Building Code. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, no; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, no. Motion passed.

Motion by Councilwoman Blake, seconded by Councilman Shapiro to approve the emergency clause to approve an Ordinance amending 5.16.050 to clarify the reference to the City's Building Code. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, no; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, no. Motion passed.

15. Adoption of Ordinances relating to the 35% fee being charged on delinquent accounts.
 - A. Discussion and possible action on an Ordinance amending Title 3 by adding Chapter 3.06 Unpaid Debts, 35% fee for delinquent, not Municipal Court accounts.
 - B. Approval of the emergency clause.
 - C. Discussion and possible action on an Ordinance amending Title 3 Chapter 3.06 by adding Section 010: Cases referred to collection agency: fee, for delinquent court fines.
 - D. Approval of the emergency clause.
 - E. Discussion and possible action on an Ordinance amending Title 9 Chapter 94 by adding Section 020: fee to all fines for failure to appear.
 - F. Discussion and possible action to authorize the Mayor to execute a contract with Millennium Financial Group imposing the 35% fee.

City Attorney, Matt Love, stated that currently the collection agency for the utility billing department deducts a 35% fee from the total amount owed to the City for collecting the past due bills. This new Ordinance will allow the collection agency to add 35% to the amount of the monies owed, therefore, the City will receive the total amount owed.

Motion by Councilman Godwin, seconded by Councilwoman Blake to approve Ordinance amending Title 3 by adding Chapter 3.06 Unpaid Debts, 35% fee for delinquent, not Municipal Court accounts. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, no. Motion passed.

Motion by Councilman Dirkschneider, seconded by Councilwoman Blake to approve the emergency clause to approve Ordinance amending Title 3 by adding Chapter 3.06 Unpaid Debts, 35% fee for delinquent, not Municipal Court accounts. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, no. Motion passed.

Motion by Councilwoman Blake, seconded by Councilman Godwin to approve an Ordinance amending Title 3 Chapter 3.06 by adding Section 010: Cases referred to collection agency: fee, for delinquent court fines. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, yes. Motion passed.

Motion by Councilwoman Blake, seconded by Councilman Shapiro to approve the emergency clause to approve an Ordinance amending Title 3 Chapter 3.06 by adding Section 010: Cases referred to collection agency: fee, for delinquent court fines. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, yes. Motion passed.

Motion by Councilwoman Blake, seconded by Councilman Shapiro to approve an Ordinance amending Title 9 Chapter 94 by adding Section 020: fee to all fines for failure to appear. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, no. Motion passed. There was no emergency clause on the agenda, therefore, the Ordinance will take effect in 30 days.

Motion by Councilman Shapiro, seconded by Councilman Dirkschneider to authorize the Mayor to execute a contract with Millennium Financial Group imposing the 35% fee. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, no; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, no. Motion passed. There was no emergency clause on the agenda, therefore, the Ordinance will take effect in 30 days.

16. Questions and comments from Council.

Councilwoman Blake – recycling, IRIS telephone program was modified to split out all businesses into one group, and on Oct. 11, 2011, the Mayor and Warr Acres business owners will have a meeting.

Councilman Dirkschneider – would like to see Warr Acres have an annual event similar to other cities (ie 4th of July, etc.).

Councilman Godwin – none

Councilman McClure – none

Councilman Davis – none

Councilman Allsup – none

Councilman Shapiro – proud of Police and Fire Depts. in helping five other communities, and that his main priority of Warr Acres was the concerns of the citizens.

17. Any Old or New Business (“New Business”) is defined by the Open Meeting Act as any matter not known about or which could not have been reasonably foreseen prior to the time of posting of the agenda of a (“surprise nature”).

None.

18. Adjournment.

Motion by Councilman Dirkschneider, seconded by Councilman Shapiro to adjourn this meeting of the Warr Acres City Council. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, yes. Motion passed.

Meeting adjourned at 7:41 p.m.

Respectfully Submitted,

Jenell Robertson
Asst. City Clerk

MINUTES
CITY OF WARR ACRES
PUBLIC WORKS AUTHORITY MEETING
TUESDAY
SEPTEMBER 20, 2011
6:00 p.m.

(Immediately following completion of the regularly scheduled City Council meeting)

1. Call to order, Declaration of a quorum.
Mayor Woolley called the meeting to order at 7:41 p.m. and declared a quorum present.
2. Approve the minutes of the Warr Acres Public Works Authority Meeting of August 16, 2011.

Councilman Godwin stepped out of meeting at 7:41 p.m.

Motion by Councilman Shapiro, seconded by Councilwoman Blake to approve the minutes of the Warr Acres Public Works Authority Meeting of August 16, 2011. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, yes.

Councilman Godwin returned to meeting at 7:42 p.m.

3. Approve payment of claim in the amount of \$65,396.66 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of August, 2011.

Motion by Councilman Godwin, seconded by Councilman Dirkschneider to approve payment of claim in the amount of \$65,396.66 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of August, 2011. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, yes.

4. Approval of payment of claims for the Sewer department.

Motion by Councilwoman Blake, seconded by Councilman Godwin to approve payment of claims for the Sewer Dept. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, yes.

5. Adjournment.

Motion by Councilman Godwin, seconded by Councilman Shapiro to adjourn this meeting of the Warr Acres Public Works Authority. Poll vote: Woolley, yes; Shapiro, yes; McClure, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Allsup, yes.

Meeting adjourned at 7:44 p.m.

Respectfully Submitted,

Jenell Robertson
Asst. City Clerk

